

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

STEVEN P. STEWART,	:	
	:	
Plaintiff,	:	
	:	No.: 1:09-CV-260
v.	:	
	:	COLLIER/CARTER
THYSSENKRUPP WAUPACA, INC.	:	
THYSSENKRUPP WAUPACA GROUP	:	
BENEFITS PLAN, and	:	
SUN LIFE FINANCIAL ASSURANCE	:	
COMPANY OF CANADA,	:	
	:	
Defendants.	:	

---

**JOINT STIPULATION OF DISMISSAL**

---

Plaintiff and Defendants (collectively the “Parties”) announce to the Court that all claims pending in this action as to all parties have been compromised and settled without admission of liability pursuant to a confidential Settlement Agreement and Release executed among the Parties.

Accordingly, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Parties stipulate that Plaintiff dismisses the above-captioned case with full prejudice and each party shall bear its own costs, expenses, attorney fees, or other fees.

Respectfully submitted this 8th day of January, 2010.

**ERIC BUCHANAN & ASSOCIATES, PLLC**

**s/D. Seth Holliday**  
D. Seth Holliday, B.P.R. # 023136  
414 McCallie Avenue  
Chattanooga, TN 37402  
Telephone: (423) 634-2506  
Facsimile: (423) 634-2505  
*Attorneys for Plaintiff*

**-AND-**

**MILLER & MARTIN PLLC**

**s/James Williams**

Shelby R. Grubbs, B.P.R. # 001581

James T. Williams, B.P.R. # 16341

Stephanie R. Barnes B.P.R. # 25255

Suite 1000 Volunteer Building

832 Georgia Avenue

Chattanooga, TN 37402-2289

Telephone: (423) 756-6600

Facsimile: (423) 785-8480

*Attorneys for Defendant*

*Sun Life Assurance Company of Canada*

**-AND-**

**CARTER, HARROD & WILLHITE, PLLC**

**s/Bridget J. Willhite**

Bridget J. Willhite, B.P.R. # 021951

1 East Madison Avenue

P.O. Box 885

Athens, TN 37371-0885

Telephone: (423) 745-7447

Facsimile: (423) 745-6114

**-AND-**

**MICHAEL BEST & FRIEDRICH LLP**

**s/Mitchell W. Quick**

Charles P. Stevens, WBN 1014720

Mitchell W. Quick, WBN 1001493

Melissa H. Burkland, WBN 1071443

100 East Wisconsin Avenue

Suite 3300

Milwaukee, WI 53202-4108

Telephone: (414) 271-6560

Facsimile: (414) 277-0656

*Attorneys for Defendants Thyssenkrupp Waupaca,  
Inc. and Thyssenkrupp Waupaca Group Benefits  
Plan*

**CERTIFICATE OF SERVICE**

I hereby certify that on **January 8, 2010** a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

**s/James Williams**

Shelby R. Grubbs, B.P.R. # 001581

James T. Williams, B.P.R. # 16341

Stephanie R. Barnes B.P.R. # 25255

**MILLER & MARTIN PLLC**

Suite 1000 Volunteer Building

832 Georgia Avenue

Chattanooga, TN 37402-2289

Telephone: (423) 756-6600

Facsimile: (423) 785-8480

*Attorneys for Defendant*

*Sun Life Assurance Company of Canada*